

1 HONORABLE RONALD B. LEIGHTON  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 MARGARITO LEMUS ESTRADA,

14 Defendant.

15 Case No. CR10-5373RBL

16 ORDER

17 THIS MATTER comes on before the above-entitled Court upon Defendant Margarito Lemus  
18 Estrada's Motion for Order Compelling Production of Discovery [Dkt. #244] as specifically joined by  
19 Defendant Alicia Alvarez [Dkt. #266] and Defendant Hirbit Garcia Pena [Dkt. #268]. Having  
20 considered the entirety of the records and file herein, the Court finds and rules as follows:

21 The defendants' motion seeks a wide variety of evidence, some that is discoverable, some that is  
22 not. To the extent the evidence is discoverable, such as *Brady* and *Giglio* evidence, the government's  
23 response to the motion indicates that it has provided *Brady* materials and is not aware of any *Giglio*  
24 evidence. The government indicates it will continue to provide *Brady* materials when and if it discovers  
25 more, and will provide *Giglio* evidence if it uncovers any. Furthermore the government has provided  
26 NCIC records and will provide TECS records of the defendants.

27 To the extent the defendants seek "production of all information relating to this case and related  
28 investigations from all government databases," it is over-broad. *See* Fed. R. Crim. P. 16(a). The

1 government's response to the defendants motion indicates that it has provided the defendants the  
2 information to date they are entitled to under the Rule, and in some instances, more so. The Court agrees  
3 that the government has met its discovery obligations thus far. If a later discovery dispute arises, the  
4 defendants may bring a new motion to compel production of discovery, or may orally inform the Court of  
5 continuing discovery issues at the November 18, 2010 motions hearing. Therefore, Defendants' Motion  
6 for Order Compelling Production of Discovery [Dkt. #'s 244, 266, 268] is **DENIED WITHOUT**  
7 **PREJUDICE.**

8 **IT IS SO ORDERED.**

9 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party  
10 appearing pro se.

11 Dated this 8<sup>th</sup> day of November, 2010.

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13 RONALD B. LEIGHTON  
14 UNITED STATES DISTRICT JUDGE